

On June 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7087. Adulteration and misbranding of santal oil. U. S. * * * v. 66 Boxes and 48 Boxes of Santal Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9679, 9680. I. S. Nos. 6179-r, 6180-r, 6181-r. S. No. C-1053.)

On February 8, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 66 boxes and 48 boxes, each containing 100 capsules of santal oil, remaining unsold in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about July 20, 1918, and November 20, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "100 Soluble Elastic Capsules Guaranteed Weather-proof and Non-collapsible Santal Oil East India 10 Min. Each capsule contains sandalwood oil 10 Min. East India Evans Drug Mfg. Co. Incorporated Soft Capsules, Greensburg, Pa. 100 E. I. Santal Oil 10 Min."

Analyses of samples by the Bureau of Chemistry of this department showed that the average contents of the capsules was 7.2 and 7.8 minims, respectively, and that 71 per cent and 72 per cent, respectively, of the contents consisted of a nonvolatile oil, chiefly cottonseed oil.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation, and in that its strength fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the label, to wit, "Capsules * * * Santal Oil East India 10 Min.," was false and misleading in that such labeling indicated that the contents of said boxes was santal oil, whereas the product contained 72 per cent or 71 per cent nonvolatile oil, chiefly cottonseed oil, and showed an average shortage of 2.2 minims or 2.8 minims, as the case might be. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

On March 12, 1919, the Evans Drug Mfg. Co., Greensburg, Pa., claimant, having filed answers admitting the truth of the allegations in the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7088. Adulteration and misbranding of santal oil. U. S. * * * v. 36 Boxes of Santal Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 9682. I. S. No. 6177-r. S. No. C-1055.)

On February 8, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 36 boxes, each containing 100 capsules of santal oil, remaining unsold in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about October 31, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "100 Soluble Elastic Capsules, Guaranteed Weatherproof and Noncollapsible, Santal Oil East India 10 Min., Each capsule contains sandalwood oil 10 Min., East India Evans Drug Mfg. Co., Incorporated, Soft Capsules, Greensburg, Pa., 100 E. I. Santal Oil 10 Min."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the average net contents of the capsules was 7.6 minims, and that 70 per cent of the contents consisted of nonvolatile oil, chiefly cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the labeling borne on the boxes, to wit, "Capsules * * * Santal Oil East India 10 Min.," was false and misleading in that it indicated that the contents of said boxes was santal oil, whereas the article contained 70 per cent cottonseed oil, and showed an average shortage of 2.4 minims. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

On June 30, 1919, the said Evans Drug Mfg. Co., having filed its answer to the libel, admitting the truth of the allegations contained therein, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7089. Adulteration and misbranding of olive oil. U. S. * * * v. 82 1-Gallon Cans of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9683. I. S. No. 12364-r. S. No. C-1051.)

On February 6, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 82 1-gallon cans of alleged olive oil, remaining in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about November 14, 1918, by Thompson Porcard, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The cans containing the article were labeled, "1 Gallon Net Qualita Superiore (map of Italy and picture of Italian Queen holding Italian flag) Olio Tripolitania Puro Garantito Sotto Qualsiasi Analisi Chimica Garantito Sotto La Legge Del 30 Giugno, 1906." The reverse side of the cans bore the same label with paper sticker which read, "Family Oil Composto con Olii Puri ai sensi della Legge. Il solo che incontra il gusto delle famiglie Italia ne perché confiene anche Olio D'Oliiva T. Porcaro," the English translation of which is, "Composed of Pure